

STANLEY L. GIBSON (047882)  
 JOSHUA A. SOUTHWICK (246296)  
 GIBSON ROBB & LINDH LLP  
 100 First Street, 27<sup>th</sup> Floor  
 San Francisco, California 94105  
 Telephone: (415) 348-6000  
 Facsimile: (415) 348-6001  
 Email: [sgibson@gibsonrobb.com](mailto:sgibson@gibsonrobb.com)  
 Email: [jsouthwick@gibsonrobb.com](mailto:jsouthwick@gibsonrobb.com)

Attorneys for Plaintiffs  
 FARMERS' RICE COOPERATIVE and  
 GREAT AMERICAN INSURANCE COMPANY

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

FARMERS' RICE COOPERATIVE, a  
 corporation; GREAT AMERICAN  
 INSURANCE COMPANY, a corporation;

Plaintiff,

v.

SCOULAR COMPANY d.b.a. TSC  
 CONTAINER FREIGHT, a corporation;

Defendant.

Case No. CV 09-4177

**JOINT STIPULATION TO FILE  
 AMENDED COMPLAINT**

Pursuant to Local Rules 5 and 6, Plaintiffs FARMER'S RICE COOPERATIVE and  
 GREAT AMERICAN INSURANCE COMPANY (collectively "FARMERS RICE") and  
 defendant SCOULAR COMPANY d.b.a. TSC CONTAINER FREIGHT stipulate that  
 FARMERS RICE shall file an amended complaint on or before December 16, 2009. Following  
 the filing of this suit, the parties discovered at least 7 additional related claims between them for  
 odor damage to rice. The parties believe that it would be in the interest of judicial economy for  
 all such claims to be resolved in the same suit. Accordingly, the parties have executed this  
 stipulation in lieu of defendant SCOULAR COMPANY filing an answer to the current complaint  
 herein. It is also anticipated that the amended complaint may require adding new defendants,

1 including without limitation the vessel-operating ocean carriers for the subject shipments of rice.

2  
3 Dated: November 16, 2009

GIBSON ROBB & LINDH LLP

4  
5 By: S/ JOSHUA A. SOUTHWICK  
Joshua A. Southwick  
Attorneys for Plaintiffs  
FARMERS' RICE COOPERATIVE  
and GREAT AMERICAN INSURANCE  
COMPANY

6  
7  
8  
9 Dated: November 13, 2009

FLYNN, DELICH & WISE LLP

10  
11 By: S/ CONTE C. CICALA  
Conte C. Cicala  
Attorneys Appearing Specially for  
Defendant SCOLAR COMPANY

